

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION**

Kartrez Rush,	)	
	)	
	)	Civil Action No.: 1:20-cv-00766-JMC
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
	)	
Andrew Saul,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

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Before the court is the Government's unopposed Motion to Remand. (ECF No. 21.) Specifically, the Government moves to reverse and remand the Commissioner's final decision denying Plaintiff Kartrez Rush's July 24, 2017 Disability Insurance Benefits application for further proceedings under sentence four of 42 U.S.C. § 405(g). Plaintiff Kartrez Rush has consented to the Motion. (ECF No. 21.)

Upon remand, the Appeals Council will remand the matter to an ALJ with instructions to:

- (1) Obtain medical advisor opinion for assistance in determining whether Plaintiff's Systemic Lupus Erythematosus and depression met or equaled Listing 14.02A during the period beginning on October 26, 2016, when Plaintiff alleged the onset of disability, and prior to February 1, 2019, the date Plaintiff was found disabled.
- (2) If appropriate, reassess Plaintiff's exertional and non-exertional limitations during the period beginning on October 26, 2016, when Plaintiff alleged the onset of disability, and prior to February 1, 2019. Additionally, if appropriate, reassess Plaintiff's maximum residual functional capacity.
- (3) Take any further action necessary to complete the administrative record resolving the above issues, and issue a new decision.

Accordingly, the court **GRANTS** the instant Motion to Remand under sentence four of 42 U.S.C. § 405(g) (ECF No. 21), **REVERSES** the decision of the Commissioner, and

**REMANDS** this matter for further proceedings consistent with this Order. The Clerk of Court is directed to enter a final judgment terminating this case. *See Shalala v. Schaefer*, 509 U.S. 292, 297 (1993) (remand under sentence four is considered a final judgment).

**IT IS SO ORDERED.**



United States District Judge

November 5, 2020  
Columbia, South Carolina